

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CUSTOMERS BANK, et al.,	:	CIVIL ACTION
	:	NO. 12-2471
Plaintiffs,	:	
	:	
v.	:	
	:	
MUNICIPALITY OF NORRISTOWN, et al.,	:	
	:	
Defendants.	:	

O R D E R

**AND NOW**, this **26th** day of **April, 2013**, following a hearing on Motions to Dismiss (ECF Nos. 68, 74, 75, 83, 85, and 104) it is hereby **ORDERED** that:

- (1) Defendant Kilkenny's Motion for Leave to File a Reply to Plaintiffs' Response (ECF Nos. 93, 97) is **GRANTED**.
- (2) Defendant Victory Fire Protection's Motion for Leave to File a Reply to Plaintiffs' Response (ECF No. 110) is **GRANTED**.
- (3) Defendant All State Design Group's Motion for Leave to File a Response to Plaintiffs' Reply (ECF No. 92) is **GRANTED**.
- (4) Plaintiffs' Motion for Leave to Reply to Defendant Kilkenny's Reply (ECF No. 103) is **GRANTED**.
- (5) Plaintiffs' Motion for Leave to Reply to Defendant All

State Design's Reply (ECF No. 102) is **GRANTED**.

(6) Plaintiffs' Motion for Leave to File a Sur-Reply (ECF No. 125) is **GRANTED**.

(7) Defendant Sean Kilkenny's Motion to Dismiss (ECF No. 68) is **GRANTED** as to Count I.

(8) Defendant Municipality of Norristown et al.'s Motion to Dismiss (ECF No. 74) is **GRANTED** as to Count I.

(9) Defendant RVB et al.'s Motion to Dismiss (ECF No. 75) is **GRANTED** as to Count I.

(10) Defendant Yerkes Associates et al.'s Motion to Dismiss (ECF No. 85) is **GRANTED** as to Count I.

(11) Defendant All State Design Group's Motion to Dismiss (ECF No. 83) is **GRANTED** as to Count I.

It is further **ORDERED**, that having dismissed all of Plaintiffs' federal claims, the Court declines to exercise supplemental jurisdiction over the remaining state law claims.<sup>1</sup>

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<sup>1</sup> See 28 U.S.C. § 1337(c) (3) ("The district courts may decline to exercise supplemental jurisdiction over a claim . . . [if] the district court has dismissed all claims over which it has original jurisdiction.").

and those claims are **DISMISSED** without prejudice to pursue any appropriate claims in state court. Accordingly, Defendant Victory Fire Protection's Motion to Dismiss (ECF No. 104) is **DENIED** as moot.

**AND IT IS SO ORDERED.**

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.